



City of Seattle

Greg Nickels, Mayor

Department of Planning and Development

Diane Sugimura, Director

MEMORANDUM

TO: Councilmember Peter Steinbrueck, Chair, UD&P Committee
Councilmember Richard Conlin
Councilmember Tom Rasmussen

FROM: Diane M. Sugimura

DATE: February 2, 2005

SUBJECT: Committee Briefing: DPD Monthly Update for February 9, 2005 Meeting

Land Use Review Highlights

Development interest remains strong, and projects are more significant in scale. We are seeing more highrise development proposals on First Hill. In the downtown area around 7th to 9th on both sides of Westlake, development is booming with a number of projects in Early Design Guidance (EDG) and Master Use Permit stages. The Capitol Hill and Northeast Design Review Boards are particularly busy at this time. We've scheduled extra meetings and are using the less-busy Southeast Board to help out in Capitol Hill so we can keep the development proposals moving.

As you may recall, SHA has initiated a design review process for its "for sale" homes at High Point as well as Rainier Vista. Excellent Design Books have been created for both neighborhoods. SHA has its own design review requirements even for projects that fall below the City's threshold for Design Review. We support SHA's emphasis on quality development, and have worked with them to help ensure the proposals are processed in a timely manner. We have established a new collaborative approach for an Administrative Design Review process for High Point for sale homes. The process seems to be working well with a drop-off EDG process instead of an appointment process.

Summary of the Premises Abatement Process

In the past, Council has had questions about premises abatement as related to specific issues in certain neighborhoods. Below is a quick overview of the process and how it might be used.

Hazardous, neglected homes may be demolished when a property owner fails to correct identified hazards. In addition, DPD on occasion abates other hazardous property conditions such as extreme amounts of junk, rubbish and household goods stored outside of enclosed buildings on private property. These cases present unique challenges. Often the property owners are hoarders with mental health issues. Persons suffering from hoarder syndrome collect trash, rubbish, newspapers, etc., and find it difficult to dispose of or recycle any of their belongings.

A premises abatement is conducted by DPD only after other efforts have failed to motivate a property owner to clean up. Under the City's housing code, in order to abate a premises, it must be found to be unfit for human habitation or other use due to the presence of specific conditions that are severe enough to endanger the health or safety of the occupants, the neighbors or the public. Such conditions may include sanitation issues; the accumulation of garbage and rubbish; the storage of hazardous or toxic materials; or the accumulation of combustible junk, debris, or other materials that could cause a fire or explosion or provide a ready fuel to augment the spread or intensity of fire or explosion.

Upon a well-documented finding that a premise is unfit for human habitation or other use, DPD can order that the conditions that endanger health or safety be eliminated. The property owner has the right to appeal the order to the City Hearing Examiner and King County Superior Court. If the owner does not comply with the order, DPD seeks a court order for abatement and retains a contractor to clean up the premises. The cleanup costs are paid with funds from an account established under the Housing and Building Maintenance Code. Ultimately, if the property owner does not reimburse the City, these costs are certified to King County as a lien and collected by the County in a manner similar to unpaid property taxes.

Because of the restrictive legal standards for health or safety endangerment, as well as the substantial personnel time and monetary costs involved, premises abatements are relatively rare. In 2004 DPD concluded three such abatements involving total clean-up costs of nearly \$19,000. One of these involved a property on Northeast 130th Street. About 23 tons of scrap lumber, building materials, machinery and household goods were removed from the grounds at this location. When contractor bids were solicited for this property, they ran as high as \$23,000, although we selected the low bidder at \$8422. The property owner sought a reduction in this amount in court, and also requested compensation for items he believed should not have been removed, but the judge approved both the amount requested and the items removed.

Planning Highlights

Neighborhood Business District Strategy: In late February, we anticipate release of the proposed code, the SEPA review and the Director's Report

Shaping Downtown Seattle: The Final EIS for the downtown zoning changes was released on January 6; comment period ended on January 28. One appeal was filed on

the basis that we did not include analysis of certain environmental factors such as water, environmental health, light/glare.

Waterfront Concept Plan: Staff has prepared its initial proposal for a Concept Plan, based on the recommendations from the 33 charrette groups, an advisory group, other individuals and organizations, and staff from various City departments. A public open house has been scheduled for February 9, to gather public input. The plan is to prepare the final Concept Plan by fall. We are also seeking additional resources to develop a full master plan and preliminary design for the public environment. To date, these activities are not funded.

Public Outreach, January and February of 2005

- January 13, Shaping Downtown Seattle, public meeting about proposed downtown zoning changes
- January 22 and 29, Annual Landslide public information meetings
- January 25, DSA, State of the Downtown Event
- January 25, Council Brown Bag on Urban Sustainability
- January 30, Annual Phinney Home Improvement Event
- February 1, Northgate Stakeholder Group
- February 9, Central Waterfront Draft Concept Plan Update, public meeting
- February 24, Environmentally Critical Areas Update, public meeting
- February 28, “The Business Case for Sustainable Development,” Ed McMahon, ULI Senior Fellow for Sustainable Development